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3 UNITED STATES DISTRICT COURT  
4 WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 CHARLES S. LONGSHORE,

7 Plaintiffs,

8 v.

9 SCOTT RUSSELL, SGT. QUENGA,  
10 SGT. MCKANNEY, SGT. ROBERTS,  
11 C/O TROTTER, and STEVEN  
12 DEMARS,

13 Defendants.

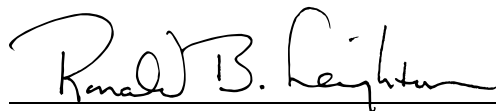
No. C11-5278 RBL/KLS

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

14 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen  
15 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,  
16 does hereby find and **ORDER**:

- 17 1) The Court adopts the Report and Recommendation.
- 18 2) Defendants' Motion to Dismiss (ECF No. 41) is **GRANTED**; Plaintiff's  
19 claims are **Dismissed without Prejudice for failure to exhaust, except**  
20 **as to claims against Defendant Trotter.**
- 21 3) This matter shall be **re-referred** to the undersigned.
- 22 4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for  
23 Defendant and to the Hon. Karen L. Strombom.

24 **DATED** this 20<sup>th</sup> day of March, 2011.

25 

26 RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE